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\*E-FILED - 9/21/06\*

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR 05-00718 RMW  
11 )  
Plaintiff, )  
12 )  
v. ) **STIPULATION AND**  
13 ) **ORDER TO CONTINUE STATUS DATE**  
JUAN ANTONIO CARDENAS, )  
14 )  
Defendant. )  
15 \_\_\_\_\_)

16 Assistant United States Attorney Carlos Singh and defendant, Juan Antonio Cardenas,  
17 through his counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree  
18 that the status date in the above-captioned matter, presently scheduled for Monday, August 28,  
19 2006, should be continued to October 23, 2006, at 9:00 a.m.

20 The parties stipulate and agree that the status date should be continued because counsel  
21 for Mr. Cardenas is investigating this case and needs additional time to locate witnesses and to  
22 collect pertinent records before she can assess whether or not Mr. Cardenas should file motions,  
23 enter a plea or proceed to trial. Additionally, counsel for Mr. Cardenas has requested an  
24 evidence view that cannot be scheduled until the case agent returns on August 28. The defense  
25 has also requested additional discovery from the government, including photos from the search  
26

1 and audio recordings of interviews with government witnesses and a video of an interview with  
2 Mr. Cardenas.

3 The parties further stipulate and agree to an exclusion of time from August 28, 2006 to  
4 October 23, 2006 under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv), the ends of justice served by the  
5 continuance requested outweigh the best interest of the defendant and public in a speedy trial  
6 because the failure to grant such a continuance would unreasonably deny Mr. Cardenas  
7 continuity of counsel and the time necessary for effective preparation, taking into account the  
8 exercise of due diligence.

9  
10 Dated: August 24, 2006

/s/  
\_\_\_\_\_  
ANGELA M. HANSEN  
Assistant Federal Public Defender

11  
12  
13 Dated: August 24, 2006

/s/  
\_\_\_\_\_  
CARLOS SINGH  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 05-00718 RMW
	)	
Plaintiff,	)	<b>ORDER CONTINUING</b>
	)	<b>STATUS DATE AND EXCLUDING</b>
v.	)	<b>TIME</b>
	)	
JUAN ANTONIO CARDENAS,	)	
	)	
Defendant.	)	
_____	)	

The parties have jointly requested to continue the status date set for August 28, 2006 to October 23, 2006 at 9:00 a.m., GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date presently set is continued to October 23, 2006, at 9:00 a.m. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from August 28, through and including October 23, 2006, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

Dated: September 21, 2006

\_\_\_\_\_  
/s/ Ronald M. Whyte  
RONALD M. WHYTE  
United States District Judge

1 Distribute to:

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